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Filing date: **11/14/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91203730
Party	Defendant Super T Financial Inc. DBA LoanZilla
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Signature	/John Janeay/
Date	11/14/2012
Attachments	Super T Counterclaim.pdf (6 pages)(3071127 bytes) Exhibit A to Counterclaim.pdf (34 pages)(1122391 bytes) Exhibit B to Counterclaim.pdf (5 pages)(557971 bytes) Exhibit C to Counterclaim.pdf (3 pages)(186602 bytes) Exhibit E to Counterclaim.pdf (5 pages)(415794 bytes) Exhibit D to Counterclaim.pdf (1 page)(846427 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 85/316,446
For the Mark LOANZILLA
Filed May 19, 2011
Published in the Official Gazette on October 11, 2011

ZILLOW, INC.,

Opposer,

v.

SUPER T FINANCIAL INC. DBA
LOANZILLA,

Applicant.

Opposition No. 91203730

**SUPER T FINANCIAL INC. DBA LOANZILLA'S COMPULSORY COUNTERCLAIM
TO ZILLOW, INC.**

Pursuant to 37 CFR § 2.106(b)(2)(i), Applicant hereby submits this compulsory counterclaim for cancellation of one of Opposer's registrations, Registration No. 4,201,269, for the mark ZILLOW ("Opposer's Mark"). This counterclaim is considered timely as it is being pleaded promptly after the grounds therefor are learned. *Id.* Applicant's standing to assert a counterclaim to cancel Opposer's Mark is inherent in its position as defendant in the Opposition. Trademark Trial and Appeal Board Manual of Procedure ("TBMP") § 313.03.

The grounds for this counterclaim are as follows:

I. Opposer's Mark Was Obtained Fraudulently

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1. Opposer was not using Opposer's Mark in connection with all of the goods and services identified in the Federal trademark application for Opposer's Mark pursuant to Opposer's claimed "first use in commerce dates" as submitted in the Response to Office Action submitted to the United States Patent and Trademark Office ("USPTO") on March 19, 2012. See Exhibit A, Opposer's Response to Office Action, attached hereto.

2. In support of Opposer's Application, Opposer submitted the following "first use in commerce" dates in its March 19, 2012 Response to Office Action (the "Response"):

- i. International Class 009: April 28, 2009.
- ii. International Class 035: April 13, 2011.
- iii. International Class 036: February 7, 2006.
- iv. International Class 039: April 13, 2011.
- v. International Class 042: February 7, 2006.

3. In support of Opposer's Application, Opposer stated in the Response that "The applicant is using the mark in commerce...on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended." See Exhibit A.

4. In support of Opposer's Application, Opposer declared in the Response "that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true." See Exhibit A.

5. Opposer was not using Opposer's Mark in connection with "financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home

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equity lending” or “providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of ... mortgage lending services” as enumerated in the International Class 036 identification of services for Opposer’s Mark in the Response. Furthermore, Opposer was not using Opposer’s Mark in connection with “providing temporary use of non-downloadable computer software in the fields of ... mortgages, ... non-downloadable computer database software featuring information and advertising in the fields of ... mortgages” as enumerated in the International Class 042 identification of services for Opposer’s Mark in the Response. Attached hereto as Exhibit B is a series of Internet Archive screen captures from the www.zillow.com website, a site owned and operated by Opposer (the “Opposer’s Website”). These captures are from two dates: January 1, 2006 and March 21, 2006. These dates effectively capture the period of time before and after Opposer’s alleged first use in commerce date of the above listed services for Opposer’s Mark. A close review of the screen captures indicates that the above listed services were not offered in connection with Opposer’s Mark at the time “first use in commerce” was alleged by Opposer.

6. Opposer was not using Opposer’s Mark in connection with the services enumerated in Paragraph 5 until on or about April 2008. Opposer issued a press release on April 3, 2008, which announced that Zillow was launching a service where “Borrowers can shop for loans anonymously, get real customized rates, and review lenders through the industry's first lender rating system; confirmed lenders can submit unlimited number of quotes for free.” See Exhibit C, Zillow Press Release, attached. Additional news outlet resources corroborate the launch of said services on or about April 2008. See Exhibit D, Zillow Mortgage Services New Reports, attached.

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7. Opposer's website did not advertise or mention mortgage related services prior to April 4, 2008, when said services were listed on Opposer's Zillow.com website as "new." An Internet Archive screen capture from Zillow.com of March 31, 2008 makes no mention of any mortgage related services. See Exhibit E, Zillow.com Internet Archive Captures – March and April 2008 – attached. These exhibits indicate that the services enumerated in Paragraph 5 were not offered in U.S. interstate commerce in connection with Opposer's Mark at the time "first use in commerce" was alleged by Opposer.

8. Opposer submitted its declaration to the USPTO with reckless disregard of the truth or falsity of the declaration.

9. Deceptive intent to defraud the USPTO can be inferred from the conduct of Opposer.

10. The declaration filed by Opposer in connection with Opposer's application for Opposer's Mark was made with deceptive intent in an attempt to perpetrate fraud upon the USPTO because Opposer knew that it was not using the applied-for mark in interstate commerce in connection with the all of the services identified in Opposer's Application.

11. Reasonably relying on the truth of such materially false statement, the USPTO approved Opposer's Mark for registration, resulting in Registration 4,201,269 issuing on September 4, 2012.

12. The conduct of Opposer constitutes fraud on the USPTO and therefore Registration 4,201,269 should be cancelled.

13. Applicant will be damaged by the continued registration of Registration 4,201,269 because this registration, obtained through the fraudulent activities of Opposer, is being used to

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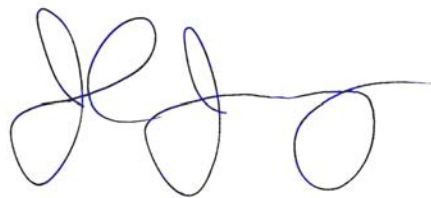
challeng Applicant's registration of Ser. No. 85/316,446 per the above-captioned opposition proceeding.

Based upon the foregoing, the registration of the mark depicted in Registration No. 4,201,269, registered on the Principal Register of the United States Patent and Trademark Office on September 4, 2012, has caused, is causing, and will continue to cause injury and damage to Applicant.

WHEREFORE, Applicant prays that this counterclaim be sustained and that Opposer's Registration No. 4,201,269 be cancelled. Applicant further moves that the times for discovery, testimony, briefs and oral arguments be reset or extended to enable Opposer to fully present or meet its counterclaim. 37 CFR § 2.106(b)(2)(iv).

Respectfully submitted,

Date: 14 November 2012

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

John Janeway
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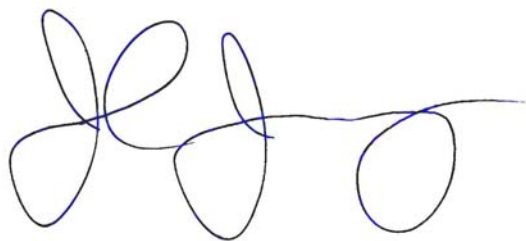
Attorneys for Applicant,
SUPER T FINANCIAL INC. DBA LOANZILLA

Applicant : Super T Financial Inc. dba Loanzilla
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing SUPER T FINANCIAL INC. DBA LOANZILLA'S COMPULSORY COUNTERCLAIM TO ZILLOW, INC. has this 14th day of November 2012 been mailed by prepaid first class mail to the below-identified Attorney at his/her place of business:

Matthew D. Schneller
Bracewell & Giuliani LLP
701 Fifth Avenue, Suite 6200
Seattle, WA 98104-7043
206-204-6200



John M. Janeway

EXHIBIT A

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85464019
LAW OFFICE ASSIGNED	LAW OFFICE 110
MARK SECTION (no change)	
ARGUMENT(S)	
<p>Applicant has revised the descriptions of services where requested. For convenience, changes are shown in redline below.</p> <p>Class 9: no changes</p> <p>Class 35: Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing an on-line commercial information directory information services on the internet; providing on-line directory information services also featuring online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical</p>	

information and indexes of mortgages, interests, and prices for others; providing **consumer** information in the field of home improvement comparisons; allowing users of an online **consumer information** service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; **commercial information services, namely**, providing demographic data; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, **namely, planning and implementing moves of homes of others**; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; **business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in the field of home furnishings** {note: transferred from Class 42}

Class 36: Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, **namely, providing an online calculator that provides an estimate of users' credit score based on answers provided**; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental **financial** valuation services; financial valuation of apartments and residential rentals; providing information **in the field of real estate** ~~about~~ and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate **management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services**; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; **financial research services in the field of real estate** {bold text moved from Class 42}

Class 37: Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, **general building contractor services**, carpentry services, **home building, home repair**, painting, plumbing services, and **home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums**; {note: additional bold services moved from Class 42}

Class 39: Electronic storage of consumer data; **providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules**; {moved from Class 35}

Note: An alternative specimen is provided.

Class 42: ~~Real estate research services~~; providing temporary access to online non-downloadable

software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another;~~ providing a website where users can post ratings, reviews and recommendations in the field of home inspection services **for the purposes of home repair and home restoration, home building and repair services, home improvement services,** engineering services, interior design services and interior decorating services, **apartment, condominium and home** staging services **for the purpose of increasing the appeal of the property to prospective buyers and/or renters,** and home furnishings

Note: Alternative specimens are provided.

Applicant submits that it has addressed all concerns raised in the Office Action, and that the application is now

GOODS AND/OR SERVICES SECTION (009)(current)

INTERNATIONAL CLASS	009
DESCRIPTION	
Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/28/2009
FIRST USE IN COMMERCE DATE	At least as early as 04/28/2009
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009

DESCRIPTION	
Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/28/2009
FIRST USE IN COMMERCE DATE	At least as early as 04/28/2009
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing on-line directory information services; providing online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate	

services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing information in the field of home improvement comparisons; allowing users of an online service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; providing demographic data; providing commuting and transit information; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (035)(proposed)

INTERNATIONAL CLASS	035
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TRACKED TEXT DESCRIPTION

Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; ~~providing on-line directory information services;~~ [providing an on-line commercial information on the internet;](#) ~~providing online hyperlinks to other web sites;~~ [providing on-line directory information services also featuring online hyperlinks to other web sites;](#) making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; ~~business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others;~~ [business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate;](#) matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; ~~providing information in the field of home improvement comparisons;~~ [providing consumer information in the field of home improvement comparisons;](#) ~~allowing~~

~~users of an online service to compare and rate homes and home improvements;~~ allowing users of an online consumer information service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; ~~providing demographic data;~~ commercial information services, namely, providing demographic data; ~~providing commuting and transit information;~~ providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, namely, planning and implementing moves of homes of others; ~~providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services;~~ design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in the field of home furnishings

FINAL DESCRIPTION

Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing an on-line commercial information on the internet; providing on-line directory information services also featuring online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing consumer information in the field of home improvement comparisons; allowing users of an online consumer information service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; commercial information services, namely, providing demographic data; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, namely, planning and implementing moves of homes of others; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in

the field of home furnishings

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011
GOODS AND/OR SERVICES SECTION (036)(current)	
INTERNATIONAL CLASS	036
DESCRIPTION	
Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental valuation services; financial valuation of apartments and residential rentals; providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/07/2006
FIRST USE IN COMMERCE DATE	At least as early as 02/07/2006
GOODS AND/OR SERVICES SECTION (036)(proposed)	
INTERNATIONAL CLASS	036
TRACKED TEXT DESCRIPTION	
Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services ; <u>credit score estimate services, namely, providing an online calculator that provides an estimate of users' credit score based on answers provided</u> ; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data	

variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; ~~apartment and residential rental valuation services~~; apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; ~~providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services~~; providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

FINAL DESCRIPTION

Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, namely, providing an online calculator that provides an estimate of users' credit score based on answers provided; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

FILING BASIS

Section 1(a)

FIRST USE ANYWHERE DATE

At least as early as 02/07/2006

FIRST USE IN COMMERCE DATE

At least as early as 02/07/2006

GOODS AND/OR SERVICES SECTION (037)(current)

INTERNATIONAL CLASS

037

DESCRIPTION

Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (037)(proposed)

INTERNATIONAL CLASS	037
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TRACKED TEXT DESCRIPTION

~~Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services;~~
Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

FINAL DESCRIPTION

Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (039)(current)

INTERNATIONAL CLASS	039
DESCRIPTION	Electronic storage of consumer data
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (039)(proposed)

INTERNATIONAL CLASS	039
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TRACKED TEXT DESCRIPTION	
Electronic storage of consumer data; providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules	
FINAL DESCRIPTION	
Electronic storage of consumer data; providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use]</i> .
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPU4-749475206-192344061_. Zillow Class 39 alternative specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0002.JPG
ORIGINAL PDF FILE	SPU4-749475206-192344061_. Zillow Class 39 alternative specimen 2.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0003.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0004.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0005.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0006.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0007.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0008.JPG
SPECIMEN DESCRIPTION	Use of the mark for the identified online services.
GOODS AND/OR SERVICES SECTION (042)(current)	
INTERNATIONAL CLASS	042
DESCRIPTION	

Real estate research services; providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings

FILING BASIS

Section 1(a)

FIRST USE ANYWHERE DATE

At least as early as 02/07/2006

FIRST USE IN COMMERCE DATE

At least as early as 02/07/2006

GOODS AND/OR SERVICES SECTION (042)(proposed)**INTERNATIONAL CLASS**

042

TRACKED TEXT DESCRIPTION

~~Real estate research services;~~ Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings~~

FINAL DESCRIPTION

Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer

services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/07/2006
FIRST USE IN COMMERCE DATE	At least as early as 02/07/2006
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use]</i> .
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPU5-749475206-192344061_ . Zillow_42_alternative_specimen_1.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0009.JPG
ORIGINAL PDF FILE	SPU5-749475206-192344061_ . Zillow_42_alternative_specimen_2.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0010.JPG
SPECIMEN DESCRIPTION	Use of the mark for the identified online services.
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Matthew D. Schneller/
SIGNATORY'S NAME	Matthew D. Schneller
SIGNATORY'S POSITION	Attorney at Bracewell & Giuliani LLP, Washington state bar member
SIGNATORY'S PHONE NUMBER	206-204-6200
DATE SIGNED	03/19/2012
RESPONSE SIGNATURE	/Matthew D. Schneller/
SIGNATORY'S NAME	Matthew D. Schneller
SIGNATORY'S POSITION	Attorney of Record, Washington state bar member

SIGNATORY'S PHONE NUMBER	206-204-6200
DATE SIGNED	03/19/2012
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Mar 19 19:50:38 EDT 2012
TEAS STAMP	USPTO/ROA-74.94.75.206-20 120319195038570106-854640 19-49057c1add612dfb8ce1a2 334c5b986e620-N/A-N/A-201 20319192344061076

Response to Office Action To the Commissioner for Trademarks:

Application serial no. **85464019** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Applicant has revised the descriptions of services where requested. For convenience, changes are shown in redline below.

Class 9: no changes

Class 35: Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet;

providing **an on-line commercial information directory information services on the internet**; providing **on-line directory information services also featuring** online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others **in the field of real estate**; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing **consumer** information in the field of home improvement comparisons; allowing users of an online **consumer information** service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; **commercial information services, namely**, providing demographic data; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, **namely, planning and implementing moves of homes of others**; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; **business and consumer research services in the field of real estate**; **providing a website where users can post ratings, reviews and recommendations in the field of home furnishings** {note: transferred from Class 42}

Class 36: Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, **namely, providing an online calculator that provides an estimate of users' credit score based on answers provided**; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental **financial** valuation services; financial valuation of apartments and residential rentals; providing information **in the field of real estate about** and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate **management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services**; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; **financial research services in the field of real estate** {bold text moved from Class 42}

Class 37: Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, **general** building contractor **services**, carpentry services,

home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums; { note: additional bold services moved from Class 42 }

Class 39: Electronic storage of consumer data; **providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules; {moved from Class 35 }**

Note: An alternative specimen is provided.

Class 42: ~~Real estate research services;~~ providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another;~~ providing a website where users can post ratings, reviews and recommendations in the field of home inspection services **for the purposes of home repair and home restoration, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings**

Note: Alternative specimens are provided.

Applicant submits that it has addressed all concerns raised in the Office Action, and that the application is now

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the

identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/28/2009 and first used in commerce at least as early as 04/28/2009, and is now in use in such commerce.

Proposed: Class 009 for Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/28/2009 and first used in commerce at least as early as 04/28/2009, and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 035 for Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing on-line directory information services; providing online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing information in the field of home improvement comparisons; allowing users of an online service to compare and rate homes and home improvements; promoting the goods and services

of others by means of linking the web site to other web sites featuring apartment and residential rental listings; providing demographic data; providing commuting and transit information; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Proposed:

Tracked Text Description: Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; ~~providing on-line directory information services;~~ providing an on-line commercial information on the internet; ~~providing online hyperlinks to other web sites;~~ providing on-line directory information services also featuring online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; ~~business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others;~~ business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; ~~providing information in the field of home improvement comparisons;~~ providing consumer information in the field of home improvement comparisons; ~~allowing users of an online service to compare and rate homes and home improvements;~~ allowing users of an online consumer information service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; ~~providing demographic data;~~ commercial information services, namely, providing demographic data; ~~providing commuting and transit information;~~ providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and

relocation services, namely, planning and implementing moves of homes of others; ~~providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services;~~ design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in the field of home furnishings

Class 035 for Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing an on-line commercial information on the internet; providing on-line directory information services also featuring online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing consumer information in the field of home improvement comparisons; allowing users of an online consumer information service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; commercial information services, namely, providing demographic data; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, namely, planning and implementing moves of homes of others; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in the field of home furnishings

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 036 for Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan

planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental valuation services; financial valuation of apartments and residential rentals; providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Proposed:

Tracked Text Description: Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; ~~credit score estimate services;~~ credit score estimate services, namely, providing an online calculator that provides an estimate of users? credit score based on answers provided; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; ~~apartment and residential rental valuation services;~~ apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; ~~providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services;~~ providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

Class 036 for Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing

mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, namely, providing an online calculator that provides an estimate of users' credit score based on answers provided; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 037 for Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services;~~ Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

Class 037 for Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in

such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 039 for Electronic storage of consumer data

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Proposed:

Tracked Text Description: Electronic storage of consumer data; [providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules](#)

Class 039 for Electronic storage of consumer data; providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 039. The specimen(s) submitted consists of Use of the mark for the identified online services..

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"*[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"***[for an application based on Section 1(b) Intent-to-Use]*.

Original PDF file:

[SPU4-749475206-192344061 . Zillow Class 39 alternative specimen.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPU4-749475206-192344061 . Zillow Class 39 alternative specimen 2.pdf](#)

Converted PDF file(s) (6 pages)

[Specimen File1](#)

[Specimen File2](#)

[Specimen File3](#)

[Specimen File4](#)

[Specimen File5](#)

[Specimen File6](#)

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 042 for Real estate research services; providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals,

mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Real estate research services~~; Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings~~

Class 042 for Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 042. The specimen(s) submitted consists of Use of the mark for the identified online services..

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"*[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"***[for an application based on Section 1(b) Intent-to-Use].*

Original PDF file:

[SPU5-749475206-192344061 . Zillow 42 alternative specimen 1.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

Original PDF file:

[SPU5-749475206-192344061 . Zillow 42 alternative specimen 2.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

SIGNATURE(S)

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Matthew D. Schneller/ Date: 03/19/2012

Signatory's Name: Matthew D. Schneller

Signatory's Position: Attorney at Bracewell & Giuliani LLP, Washington state bar member

Signatory's Phone Number: 206-204-6200

Response Signature

Signature: /Matthew D. Schneller/ Date: 03/19/2012

Signatory's Name: Matthew D. Schneller

Signatory's Position: Attorney of Record, Washington state bar member

Signatory's Phone Number: 206-204-6200

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

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74

Very Walkable

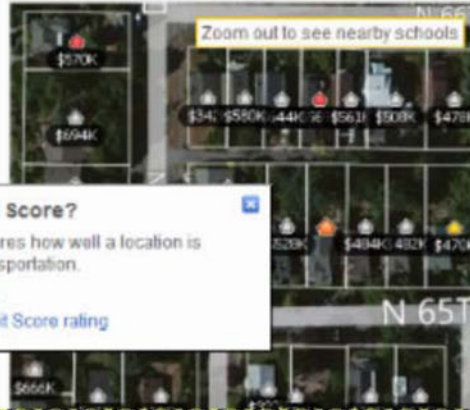
Transit Score™

What is a Transit Score?

Transit Score measures how well a location is served by public transportation.

[Learn how it works](#)

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Your Home's Transit Score Now Available on Zillow

Date: February 24, 2011 | Author: [Charlynn Duecy](#) | Category: [Zillow News](#)

Response: (10) [2 comments](#) [Email this](#)

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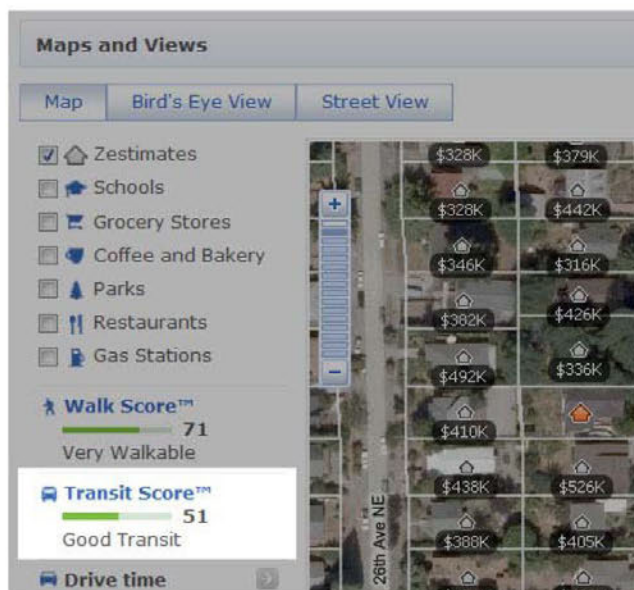
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Furthering our commitment to open up information for consumers, Zillow has expanded its partnership with [Walk Score](#) to now include [Transit Score](#). While Walk Score measures the “walkability” of any address, Transit Score measures how well a location is served by public transportation.

People looking at home details pages on Zillow in more than 100 cities can scroll down to the “Maps and Views” section to see the home’s Walk Score and Transit Score. It’s great information for homeowners, as well as potential buyers or renters.



Transit Score provides a 0 -100 rating for more than 100 cities where public transit data is available. Ratings range from “Rider’s Paradise” that offer world-class bus and rail service, to areas with limited or no nearby public transportation.

Transit Score	Description
90–100	Rider's Paradise — World-class public transportation.
70–89	Excellent Transit — Transit is convenient for most trips.
50–69	Good Transit — Many nearby public transportation options.
25–49	Some Transit — A few nearby public transportation options.
0–24	Minimal Transit — It is possible to get on a bus.

How do they do it? A Transit Score is calculated by assigning a “usefulness” value to nearby transit routes based on the frequency, type of route (rail, bus, etc.), and distance to the nearest stop on the route. The “usefulness” of all nearby routes is summed and then it is normalized to a score between 0 – 100.

Zillow's partnership with Walk Score and Transit Score is yet another example of our approach to providing the best data, tools and resources to people at all stages of home ownership. Now [check out your home's](#) transit score to see where you rank!

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1.

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It would be even better if they knew that there were two bus lines within four doors of my house!

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About Zillow Blog

Glad you're here. We cover everything from real estate news and advice to how to navigate the complex world of [mortgages](#). Not to be forgotten is our popular celebrity real estate coverage. Got a celebrity tip? Please email us at celebrity@zillow.com.

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http://www.zillow.com/howto/api/APIOverview.htm

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Real Estate and Mortgage Data for Your Site

Turn Your Site Into a Real Estate Portal With Zillow

The new Zillow API Network turns member sites into mini real estate portals by offering fresh and provocative real estate content to keep people coming back.

Home Valuation

Search results list, Zestimate®, Rent Zestimate®, home valuations, home valuation charts, comparable houses, and market trend charts.

API calls of interest:

1. [GetZestimate](#)
2. [GetSearchResults](#)
3. [GetChart](#)
4. [GetComps](#)

Property Details

Property-level data, including historical sales price and year, taxes, beds/baths, etc.

API calls of interest

1. [GetDeepComps](#)
2. [GetDeepSearchResults](#)
3. [GetUpdatedPropertyDetails](#)

Neighborhood Data

Seattle Staging Services, Other Real Estate Services - Zillow Professional Directory - Mozilla Firefox

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http://www.zillow.com/directory/Seattle-WA/real-estate-services-staging/

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All Pros

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Other Real Estate	268
Appraisal	2
Commercial R.E.	9
Escrow	7
Inspection	45
Insurance	12
Legal	17
Moving	8
Notary	9
Property Mgt.	141
Staging	11
Title	5
Other	46
Home Improvement	335
All-Stars	114
Local Experts	110

Tools


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Krista Meston PRO
Home Stage Advantage
★★★★★ [Write review](#)

On Zillow: 16 contributions
Specialties Staging
Areas: Seattle, ...




Susan Gold PRO
Stage Right Now
★★★★★ [Write review](#)

On Zillow: 10 contributions
Specialties Staging
Areas: Seattle, ...




Julianna Hind PRO
Roomspinners
★★★★★ [Write review](#)

On Zillow: 8 contributions
Specialties Staging
Areas: Seattle, ...




Darik Eaton PRO
Seattle Oasis Vacation Rentals
★★★★★ [Write review](#)

On Zillow: 8 contributions
Specialties Staging, Property Management
Areas: Seattle



Andy Capelluto PRO

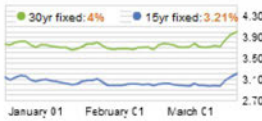


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Sound & Mountain Views
Keith Brandt 206.459.9761
\$1,280,000
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Compare Mortgage Rates

30yr fixed: 4% 15yr fixed: 3.21% 4.30



January 01 February 01 March 01

Compare Seattle, WA mortgage rates

Seattle Selling Process Advice

I have my house listed for sale on Zillow. I can't figure out how to post an open house.
- 3 Answers

Please help me stage my living room
We have this cool new feature where you can tag a part of the the picture and add comments to it. I'll ... - 45 Answers

How does Zillow's "For Sale" compare to an MLS listing?
- 5 Answers

EXHIBIT B

Zillow.com - Your Edge in Real Estate

web.archive.org/web/20060101075228/http://zillow.com/

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Home

Zillow.com: An Upcoming Online Real Estate Service

At Zillow.com we are working hard to develop a new kind of online real estate service -- one that will give you an edge in the home buying and selling process.

While we aren't revealing specific details about our service just yet, we know we will need your assistance in getting it right. Once we launch, we will be asking you, the community, to tell us what you want next in the way of services so we can improve our site as we go along. **If you would like to be notified, [sign up](#) for news about our beta launch.**

At Zillow.com we are also [hiring](#) highly capable people who want to work with a talented team and who are driven by the challenge of creating something new that will change how people approach real estate in a positive way.

Job of the Week:

[Build and Deployment Engineer](#)

Zillow.com is seeking an exceptional software development engineer to design, develop, and deploy our build process and related test automation suites. ([more](#))

Zillow.com - Your Edge in x

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[Zillow Aims for Realty Riches](#)

October 26, 2005

Two top VC firms are betting the team that made Expedia an online travel giant will have another big hit on their hands, this time with Zillow.com in the crowded field of online real estate services. ... The company has been on a hiring tear, adding 40 employees over the past year and outgrowing its original headquarters. ([more](#))

[Brokerage Design: It's Time for Zillow Talk](#)

October 2005

... a new entity called Zillow.com ... further suggests that Zillow.com's impact on the traditional industry will far outweigh LendingTree or any other influence to date ... the organization will have a business model tuned to take advantage of a major gap in the current real estate service spectrum, and the resources to potentially make a significant impact on the American real estate market. ([more](#))

[Speed Dating for Job Seekers](#)

October 3, 2005

Three fast-growing Seattle-area startup companies -- Judy's Book, Mpire and Zillow -- recently hosted a recruiting party ... Annie Rihn, director of recruiting at Zillow, said that the event was a huge success with about 60 developers, software engineers and other technical workers showing up. ([more](#))

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This is a beta site. We have lots of data in some areas, but little to no data in others. You can see exactly what we have in our [Data Coverage and Zestimate™ Accuracy table](#). We will add and improve home information as we grow.



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[Compare home values to avoid overpaying](#)



[Use home valuation tools to arrive at the right selling price](#)



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EXHIBIT C

Press Releases

Zillow.com® Launches Free Zillow® Mortgage Marketplace

Borrowers can shop for loans anonymously, get real customized rates, and review lenders through the industry's first lender rating system; confirmed lenders can submit unlimited number of quotes for free

SEATTLE, April 3, 2008 /PRNewswire/ -- Real estate Web site Zillow.com today announced the launch of Zillow Mortgage Marketplace, an open and transparent lending marketplace, offering borrowers an anonymous and hassle-free way to request custom loan quotes directly from registered lenders. In turn, lenders can respond to an unlimited number of loan quote requests directly from borrowers -- for free. Zillow Mortgage Marketplace extends Zillow into another crucial facet of home ownership, and includes the industry's first-ever lender public feedback system where borrowers rate the lenders they choose to contact.

(Logo: <http://www.newscom.com/cgi-bin/prnh/20060503/ZILLOWLOGO>)

Similar to the company's initial real estate launch with Zestimate® values two years ago, Zillow developed Mortgage Marketplace to add information and transparency to what has traditionally been a confusing process for borrowers. Zillow Mortgage Marketplace gives borrowers greater control and more information to help them find, research and select the right lender and loan.

"It's clear from our customer research and from reading today's headlines that borrowers need a better way to research and shop for home loans," said Rich Barton, CEO and co-founder of Zillow.com. "Loan shoppers tell us they want real quotes -- not just teaser rates -- when doing their research online, and they want to control who and when they contact by shopping anonymously until they are ready to talk. There is an obvious need for a transparent, free marketplace, and with this in mind, we are pleased to enter a new business today with the launch of Zillow Mortgage Marketplace."

To access Zillow Mortgage Marketplace, simply click on the new "Mortgages" tab on Zillow.com. Potential borrowers can then request customized loan quotes by filling out a detailed loan request form. Borrowers do not provide any personally identifiable information to the lender -- no name, address, phone number or Social Security number. While identity is omitted, lenders are provided enough detail to generate quotes with real rates, customized to the borrower's circumstances. Once the borrower submits a request, any lender visiting Zillow can browse among outstanding requests and view competing quotes offered by other lenders. However, only lenders who have registered on Zillow and been confirmed as mortgage professionals may participate in Mortgage Marketplace and

submit quotes.

Zillow does not limit the number of quotes a borrower can receive and offers a standardized quote form to make comparing these quotes -- along with each lender's ratings and feedback -- easy. The Mortgage Marketplace quote form requires lenders to disclose all fees upfront then Zillow estimates taxes and insurance and provides an inclusive estimated monthly payment. This makes it easier for borrowers to compare loan quotes on an apples-to-apples basis, note differences and better evaluate overall affordability. The borrower decides which lender(s) they want to contact, if any, maintaining complete control of the process. Only when a borrower contacts a lender will their identity be revealed.

Unlike other lending Web sites, Zillow is not a loan originator and is never part of any transaction. Any loan originated will be closed outside Zillow Mortgage Marketplace. Zillow also does not sell a borrower's personally identifiable information, which often leads to a barrage of unwanted phone calls and e-mails from multiple lenders vying for the borrower's business. This is a primary worry of borrowers. More than 80 percent of people who plan to shop for a mortgage or home loan in the future say they have concerns about doing so. In fact, more borrowers say they are concerned about having their personal information sold or shared (58%) than they are about missing the opportunity to get the best rate (55%), according to a recent survey(i) conducted by Harris Interactive on behalf of Zillow, which the company reported separately today.

To participate in Zillow Mortgage Marketplace, lenders must complete a series of steps and requirements that will ultimately provide free and unlimited leads from borrowers shopping for loans, including:

- Apply and have their professional and employment status confirmed. Zillow is utilizing the help of a leading independent third party to support a confirmation process that may include identity authentication, employment verification, broker license confirmation and checking standard sources for complaints or comments. To cover the cost of this confirmation process, lenders pay a one-time registration fee of \$25.
- Create a public profile and accept borrower feedback. Once lenders are confirmed, they automatically receive a public profile on Zillow, which lists their contact information and a link to their email address. Lenders are able to add a photo and other information about their credentials or service philosophy. Lender profiles will also display ratings submitted from borrowers who have contacted them. Through these personalized profiles, lenders are able to build a reputation on Zillow based on responsible lending practices, competitive and accurate rates, and great service.
- Agree to adhere to the Zillow Mortgage Marketplace Code of Conduct. This places mutual responsibility on the borrower and lender to be accurate, professional and law-abiding in all interactions. The Code

of Conduct also prohibits 'bait and switch' tactics by lenders, and Zillow reserves the right to ban any lender from the marketplace for which the public feedback system will be an important barometer.

Zillow is one of the most-visited U.S. real estate sites on the Web, with more than 5 million unique users each month. These users include more than one-third(ii) of all mortgage professionals in the U.S. -- or approximately 125,000 -- in any given month. Additionally, 90 percent of Zillow users are homeowners, and two-thirds are either buying and selling now, or plan to in the near future.

In addition to getting loan quotes through Mortgage Marketplace, Zillow users can ask questions and find or share answers about numerous home financing topics via Zillow Discussions. More than 11,000 posts on mortgage-related topics have been contributed by the Zillow community to date.

About Zillow.com®

Zillow.com is an online real estate community where homeowners, buyers, sellers, real estate agents and mortgage professionals find and share vital information about homes, for free. Launched in early 2006 with Zestimate values and data on millions of U.S. homes, Zillow has since opened the site to community input, data and dialogue. One of the most-visited U.S. real estate Web sites, Zillow's goal is to help people become smarter about real estate in every stage of the home ownership process -- buying, selling, remodeling and financing. The company is headquartered in Seattle and has raised \$87 million in funding.

Zillow.com, Zillow and Zestimate are registered trademarks of Zillow, Inc.

- (i) The Home Spending survey was conducted online by Harris Interactive within the United States on behalf of Zillow.com between March 6 and March 10, 2008, among 2,897 adults ages 18+, of whom 1,821 are homeowners. This online survey is not based on a probability sample and therefore no estimates of theoretical sampling error can be calculated; a full methodology is available.
- (ii) According to employment data published by the Bureau of Labor Statistics, the number of mortgage bankers and brokers declined to 365,000 as of January 2008.

Photo: NewsCom: <http://www.newscom.com/cgi-bin/prnh/20060503/ZILLOWLOGO>

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PRN Photo Desk, photodesk@prnewswire.com

SOURCE: Zillow.com

CONTACT: Sarah Mann of Zillow.com, +1-206-470-7171,
press@zillow.com

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Bloomberg Businessweek

Lifestyle

Zillow Opens Online Mortgage Marketplace

By [Prashant Gopal](#) on April 03, 2008

<http://www.businessweek.com/stories/2008-04-03/zillow-opens-online-mortgage-marketplacebusinessweek-business-news-stock-market-and-financial-advice>

The property estimate site is enhancing its business model to offer users mortgage loan quotes from multiple lenders

Seattle-based Zillow.com, best known for its instant home value "Zestimates," launched a new service on Apr. 3 aimed at changing the way Americans shop for mortgages.

Borrowers can use Zillow's new "Mortgage Marketplace" to get custom loan quotes from lenders without having to give their names, addresses, phone numbers, or Social Security numbers, or field unwanted telephone calls from brokers competing for their business. Borrowers reveal their identities only after contacting the lender of their choice.

For mortgage companies, the anonymous leads come free of charge; they can make a bid based on information provided by the borrower, such as salary, assets, credit score, and the type of loan. Lenders can browse borrower requests and see competing quotes from other brokers before making a bid.

"This is a huge step forward in terms of putting borrowers in control and giving them access to information," said Spencer Rascoff, Zillow's chief financial officer and vice-president for marketing.

Fees Rolling In

The company is entering a field of established mortgage sites such as LendingTree.com and Experian Group's (EXPN) Lowermybills.com, which charge mortgage companies for borrower information. Zillow, which has an advertising model, says it won't charge for leads.

A few hundred lenders across the country have already signed up to participate in the new service and have paid a one-time \$25 fee, which covers the cost of a background check, including employment and broker license verification.

Borrowers will have more than fees and loan rates to consider; the site gives a 1-to-5 rating to each lender based on borrower feedback. Zillow's standardized quote form allows customers to compare rates, fees, and lenders' ratings. Zillow calculates a monthly payment for each quote by estimating taxes and insurance for the house.

Brian Brady, managing director at San Diego's World Wide Credit, a national lender and broker, said he signed up for the Zillow mortgage marketplace a few weeks ago and has mixed feelings about it.

Advice Needed?

He said it has the potential to be a great tool for both consumers and lenders. But he's concerned that borrowers will be seeking quotes without first getting advice from mortgage professionals about the loan that best fits their needs.

He's also concerned about the kinds of leads the site might generate.

"Zillow is going in the right direction, in that the consumer gets to rate us as [loan] originators," Brady said. "I certainly wish it were a mutual rating system because customers need to be rated, too."

Bill Rice, founder and CEO of Kaleidico, a Flat Rock (Mich.) and Cleveland lead-management and distribution software company, said the Zillow service will be appealing for borrowers who want to shop for low rates without getting bombarded by lender phone calls.

But for the lender, the quality of the lead from Zillow will not be as good as it would be from other sites such as IAC/InterActive's (IACI) LendingTree.com in Charlotte, N.C. These are more likely to attract serious customers, he said.

Just Looking

Lenders typically pay sites between \$15 and \$65 per lead, Rice said. Zillow's leads are free, but might not be as solid and could take time to nurture, he said.

"There is a significant difference between someone who has committed to you personal information vs. someone anonymous," Rice said. "It doesn't mean that this is a bad path for Zillow. I think it's a positive move for Zillow but there are going to have to be some nuances worked through before we see broader adopters."

Zillow's Rascoff conceded that some of the borrowers seeking quotes on the mortgage marketplace might be "early in the decision process." But he said a borrower who decides to call a lender is more valuable than one who simply answers the phone.

Zillow's traffic has been growing despite the weakening real estate market. The site received 5.2 million visitors in

March, up 30% from a year earlier. The Mortgage Marketplace could have a head start in attracting lenders because about a third of all U.S. mortgage professionals visit the site in a given month, he said.

Todd Carpenter, owner of Lenderama, a mortgage industry blog, said he hopes Zillow's mortgage service will be successful.

"It's structured in a way that's to the advantage of the customer," he said. "There's no way for the lender to harass you. All they can do is return a good-faith mortgage quote with details."

[Gopal](#) writes about real estate for BusinessWeek.com in New York .

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Zillow launches mortgage marketplace site

Posted 4/3/2008 8:08 AM | Comments 4 | Recommend

By J.W. Elphinstone, Associated Press

NEW YORK — Armed with market research that showed Americans spend as much time researching a vacation as they do a mortgage loan (answer: five hours), Zillow.com is launching a mortgage marketplace that allows consumers to anonymously receive custom loan quotes and rate their lenders.

Zillow.com, which created a buzz in the real estate industry two years ago with its online home value "zestimates", hopes to add transparency and information to the mortgage application process, while making it easier and faster to get mortgage quotes.

ZILLOW HELP Mortgage marketplace

On its website, potential borrowers can fill out a detailed loan request form, which doesn't ask for any identifiable information. Registered lenders can respond with quotes and rates, which are displayed on Zillow's standardized quote form aimed at making comparisons easier. The borrower then has the option to contact lenders about their quotes.

Zillow said it verifies every lender's identity, employment and broker license. Each lender will have a public profile on the site with contact information, an e-mail link and ratings submitted by borrowers who contacted them.

Zillow.com receives about 2 million unique U.S. visitors each month and was the 10th most visited U.S. real estate website in February, according to website tracker comScore Inc.

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louiscammarosano (0 friends, [send message](#)) wrote: 4/3/2008 5:49:25 PM

HomeGain Cries Flattery on Zillow
<http://blog.homegain.com/homegain-cries-flattery-zillow>

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kojakinfla (2 friends, [send message](#)) wrote: 4/3/2008 3:40:47 PM

Zillo is way off accurate house values. Its data is old and inaccurate and in most cases their estimate of the actual value of the property is way off. Any owner that believes the Zillo estimates is in for a real surprise when they try to actually sell or refinance their property.

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landtuna (0 friends, [send message](#)) wrote: 4/3/2008 12:15 00 PM

I'd personally be very careful using Zillow for any research purposes. As of a few months ago (the last time I looked at their site) their estimates of houses in my neighborhood were way, way off (on the high side). Based upon other neighborhoods of which I have personal knowledge they didn't make a lot of sense either. Unless some significant changes have been made in their estimating

algorithms they are likely to remain very unrealistic.

Better to get several market values from local real estate people.

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Raven49 (0 friends, [send message](#)) wrote: 4/3/2008 9:29 29 AM

After a friend mentioned Zillow yesterday, I looked at the website briefly to research a relatives home to see if it might be worthwhile refinancing. Based on a couple of transactions I am aware of, there estimated value for our area seems very accurate. The home we were researching is in another state so I can't say for sure.
If the official appraisal varifies their information we would certainly use Zillow for finding financing.

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Zillow launches 'Mortgage Marketplace'

New service from the real estate site links borrowers with lenders but protects anonymity and opens quotes for all to see.

by Elinor Mills | April 2, 2008 9:00 PM PDT

Real estate site Zillow [<http://www.zillow.com/>] is set to launch on Thursday a service that will let borrowers get quotes anonymously and lenders get leads for free.

People applying for home loans online now have to supply personal information to get quotes. Their information is often sold to other marketers, their credit rating can get harmed from so many credit checks, and the rates are usually higher than initially advertised.

Zillow's Mortgage Marketplace aims to solve those problems. Borrowers fill out detailed loan request forms but do not provide any personally identifiable information. When customized quotes are available, the borrowers get e-mail alerts and can choose which quote and lender they want.

Zillow vets the lenders so only reputable ones can offer quotes and any lender can view competing quotes, but only lenders that have registered on Zillow can submit quotes. The quotes must use a standardized form that discloses all fees and Zillow estimates the taxes, insurance, and monthly payments, making comparison shopping easier.

There also is a rating system for borrowers to provide feedback on specific lenders. Zillow's marketplace lets the borrowers and lenders find each other, but does not participate beyond that in the transaction.

I asked Spencer Rascoff, chief financial officer and vice president of marketing for Zillow, how the ad-supported site plans to weather an online ad slowdown that already seems to be **curbing spending by online lenders** [http://www.cnet.com/Lending-companies-reduce-online-advertising/2100-1024_3-6232226.html].

He responded that big banks are increasing their spending during the downturn because they see it as an opportunity to gain share as the small guys go under.

In addition, a mortgage marketplace will do well not despite, but because of the suffering home sales market, according to Rascoff.

There will be fewer new purchases but it's a good time for new refinancing tools, he says, because rates are low and adjustable-rate mortgages will be reset and need to be

refinanced.

The screenshot shows the Zillow.com homepage with the user logged in as 'tracyborrower'. The navigation bar includes 'Map & Search', 'Mortgages', 'Real Estate Guides', 'Discussions', 'My Zillow', and 'Post a home for sale'. The left sidebar has links for 'Loan Request', 'Quotes Received', 'Help Center', and 'Tools' (with a 'Print page' option). The main content area is titled 'Quotes Received' and shows a list of 7 matching quotes. The quotes are sorted by 'Date created' and are as follows:

Loan Details	Lender	Received
30-yr Fixed 6.75%/7.0% APR \$1,895 Monthly Payment \$3,600 lender Fees	Nate Lender Nate Lender Mortgage's of Seattle	Received 4 hours ago
30-yr Fixed 6.5/6.75% APR \$1,790 Monthly Payment \$3,400 lender Fees	Sarah Smith Capital Mortgages	Received 1 day ago
30-yr Fixed 6.75%/7.0% APR \$1,890 Monthly Payment \$3,100 lender Fees	Mitch Sanders Mortgage Institute of Seattle	Received 2 days ago
30-yr Fixed 7.0/7.25% APR \$2,050 Monthly Payment \$2,900 lender Fees	Mark Robinson Evergreen Mortgage, Inc.	Received 3 days ago

Zillow Mortgage Marketplace lets borrowers compare quotes from different lenders side by side.

(Credit: Zillow)

<http://www.cnet.com/profile/elinormills/>



<http://www.cnet.com/profile/elinormills/>

Internet security and privacy. She joined CNET News in 2005 after corresponding for Reuters in Portugal and writing for The Industry News Service, and the Associated Press.



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Facebook pushing malware security even harder

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[[http://news.cnet.com/8301-1023_3-57532920-93/facebook-pushing-malware-security-](http://news.cnet.com/8301-1023_3-57532920-93/facebook-pushing-malware-security-even-harder/)



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Windows 8 Marketplace won't sell games like Grand Theft Auto in the UK, but what about the US?

Digital Trends

[<http://www.digitaltrends.com/computing/windows-8-marketplace-won-sell-games-like-grand-theft-auto-in-the-uk-but-what-about-the-us/>]

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EXHIBIT A

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85464019
LAW OFFICE ASSIGNED	LAW OFFICE 110
MARK SECTION (no change)	
ARGUMENT(S)	
<p>Applicant has revised the descriptions of services where requested. For convenience, changes are shown in redline below.</p> <p>Class 9: no changes</p> <p>Class 35: Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing an on-line commercial information directory information services on the internet; providing on-line directory information services also featuring online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical</p>	

information and indexes of mortgages, interests, and prices for others; providing **consumer** information in the field of home improvement comparisons; allowing users of an online **consumer information** service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; **commercial information services, namely**, providing demographic data; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, **namely, planning and implementing moves of homes of others**; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; **business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in the field of home furnishings** {note: transferred from Class 42}

Class 36: Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, **namely, providing an online calculator that provides an estimate of users' credit score based on answers provided**; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental **financial** valuation services; financial valuation of apartments and residential rentals; providing information **in the field of real estate** ~~about~~ and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate **management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services**; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; **financial research services in the field of real estate** {bold text moved from Class 42}

Class 37: Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, **general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums**; {note: additional bold services moved from Class 42}

Class 39: Electronic storage of consumer data; **providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules**; {moved from Class 35}

Note: An alternative specimen is provided.

Class 42: ~~Real estate research services~~; providing temporary access to online non-downloadable

software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another;~~ providing a website where users can post ratings, reviews and recommendations in the field of home inspection services **for the purposes of home repair and home restoration, home building and repair services, home improvement services,** engineering services, interior design services and interior decorating services, **apartment, condominium and home** staging services **for the purpose of increasing the appeal of the property to prospective buyers and/or renters,** and home furnishings

Note: Alternative specimens are provided.

Applicant submits that it has addressed all concerns raised in the Office Action, and that the application is now

GOODS AND/OR SERVICES SECTION (009)(current)

INTERNATIONAL CLASS	009
DESCRIPTION	
Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/28/2009
FIRST USE IN COMMERCE DATE	At least as early as 04/28/2009
GOODS AND/OR SERVICES SECTION (009)(proposed)	
INTERNATIONAL CLASS	009

DESCRIPTION	
Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/28/2009
FIRST USE IN COMMERCE DATE	At least as early as 04/28/2009
GOODS AND/OR SERVICES SECTION (035)(current)	
INTERNATIONAL CLASS	035
DESCRIPTION	
Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing on-line directory information services; providing online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate	

services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing information in the field of home improvement comparisons; allowing users of an online service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; providing demographic data; providing commuting and transit information; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (035)(proposed)

INTERNATIONAL CLASS	035
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TRACKED TEXT DESCRIPTION

Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; ~~providing on-line directory information services;~~ [providing an on-line commercial information on the internet;](#) ~~providing online hyperlinks to other web sites;~~ [providing on-line directory information services also featuring online hyperlinks to other web sites;](#) making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; ~~business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others;~~ [business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate;](#) matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; ~~providing information in the field of home improvement comparisons;~~ [providing consumer information in the field of home improvement comparisons;](#) ~~allowing~~

~~users of an online service to compare and rate homes and home improvements; allowing users of an~~
online consumer information service to compare and rate homes and home improvements; promoting
the goods and services of others by means of linking the web site to other web sites featuring apartment
and residential rental listings; ~~providing demographic data;~~ commercial information services, namely,
providing demographic data; ~~providing commuting and transit information;~~ providing information about
neighborhoods and neighborhood amenities; providing on-line information about and providing a
website where users can post ratings, reviews, and recommendations in the fields of retail services,
moving and relocation services, namely, planning and implementing moves of homes of others;
~~providing on-line information about and providing a website where users can post ratings, reviews, and~~
~~recommendations in the fields of retail services, moving and relocation services;~~ design of advertising
materials for others; design of internet advertising; on-line advertising and marketing services; business
and consumer research services in the field of real estate; providing a website where users can post
ratings, reviews and recommendations in the field of home furnishings

FINAL DESCRIPTION

Promoting the goods and services of others by means of linking the web site to other web sites featuring
real estate, consumer goods and consumer services; advertising and marketing services in the fields of
real estate, apartments, residential rentals, retail services, financial services, mortgage services, home
equity services, insurance services, escrow services, real estate appraisal services, legal services, title
services, notary services, real estate agency services, property management services, moving and
relocation services, home inspection services, architectural services, landscaping services, interior
design services, building contractors, home building and repair services, home improvement services,
painting services, plumbing services, interior design services, staging services, and home furnishings;
real estate sales management; real estate marketing services, namely, on-line services featuring tours of
real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments,
and residential rentals; operating marketplaces for sellers of goods and services in the field of real
estate, apartments, and residential rentals; providing an on-line commercial information directory on the
Internet; providing an on-line commercial information on the internet; providing on-line directory
information services also featuring online hyperlinks to other web sites; making referrals in the fields of
retail services, financial services, mortgage services, home equity services, insurance services, escrow
services, appraisal services, legal services, title services, notary services, real estate agency services,
property management services, moving services, home inspection services, architectural services,
landscaping services, interior design services, building contractors, home building and repair services,
home improvement services, carpentry services, engineering services, painting services, plumbing
services, interior design services, staging services, and home furnishings; business services, namely,
organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf
of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage
lending; matching consumers with real estate professionals in the field of real estate services via
computer network; providing statistical information and indexes of mortgages, interests, and prices for
others; providing consumer information in the field of home improvement comparisons; allowing users
of an online consumer information service to compare and rate homes and home improvements;
promoting the goods and services of others by means of linking the web site to other web sites featuring
apartment and residential rental listings; commercial information services, namely, providing
demographic data; providing information about neighborhoods and neighborhood amenities; providing
on-line information about and providing a website where users can post ratings, reviews, and
recommendations in the fields of retail services, moving and relocation services, namely, planning and
implementing moves of homes of others; design of advertising materials for others; design of internet
advertising; on-line advertising and marketing services; business and consumer research services in the
field of real estate; providing a website where users can post ratings, reviews and recommendations in

the field of home furnishings

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011
GOODS AND/OR SERVICES SECTION (036)(current)	
INTERNATIONAL CLASS	036
DESCRIPTION	
Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental valuation services; financial valuation of apartments and residential rentals; providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/07/2006
FIRST USE IN COMMERCE DATE	At least as early as 02/07/2006
GOODS AND/OR SERVICES SECTION (036)(proposed)	
INTERNATIONAL CLASS	036
TRACKED TEXT DESCRIPTION	
Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services ; credit score estimate services, namely, providing an online calculator that provides an estimate of users' credit score based on answers provided ; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data	

variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; ~~apartment and residential rental valuation services~~; apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; ~~providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services~~; providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

FINAL DESCRIPTION

Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, namely, providing an online calculator that provides an estimate of users' credit score based on answers provided; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

FILING BASIS

Section 1(a)

FIRST USE ANYWHERE DATE

At least as early as 02/07/2006

FIRST USE IN COMMERCE DATE

At least as early as 02/07/2006

GOODS AND/OR SERVICES SECTION (037)(current)

INTERNATIONAL CLASS

037

DESCRIPTION

Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (037)(proposed)

INTERNATIONAL CLASS	037
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TRACKED TEXT DESCRIPTION

~~Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services;~~
Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

FINAL DESCRIPTION

Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (039)(current)

INTERNATIONAL CLASS	039
DESCRIPTION	Electronic storage of consumer data
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011

GOODS AND/OR SERVICES SECTION (039)(proposed)

INTERNATIONAL CLASS	039
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TRACKED TEXT DESCRIPTION	
Electronic storage of consumer data; providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules	
FINAL DESCRIPTION	
Electronic storage of consumer data; providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 04/13/2011
FIRST USE IN COMMERCE DATE	At least as early as 04/13/2011
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use]</i> .
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPU4-749475206-192344061_. Zillow Class 39 alternative specimen.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0002.JPG
ORIGINAL PDF FILE	SPU4-749475206-192344061_. Zillow Class 39 alternative specimen 2.pdf
CONVERTED PDF FILE(S) (6 pages)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0003.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0004.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0005.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0006.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0007.JPG
	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0008.JPG
SPECIMEN DESCRIPTION	Use of the mark for the identified online services.
GOODS AND/OR SERVICES SECTION (042)(current)	
INTERNATIONAL CLASS	042
DESCRIPTION	

Real estate research services; providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings

FILING BASIS

Section 1(a)

FIRST USE ANYWHERE DATE

At least as early as 02/07/2006

FIRST USE IN COMMERCE DATE

At least as early as 02/07/2006

GOODS AND/OR SERVICES SECTION (042)(proposed)

INTERNATIONAL CLASS

042

TRACKED TEXT DESCRIPTION

~~Real estate research services~~; Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings~~

FINAL DESCRIPTION

Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer

services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings

FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 02/07/2006
FIRST USE IN COMMERCE DATE	At least as early as 02/07/2006
STATEMENT TYPE	"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application" <i>[for an application based on Section 1(a), Use in Commerce]</i> OR "The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use" <i>[for an application based on Section 1(b) Intent-to-Use]</i> .
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPU5-749475206-192344061_ . Zillow_42_alternative_specimen_1.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0009.JPG
ORIGINAL PDF FILE	SPU5-749475206-192344061_ . Zillow_42_alternative_specimen_2.pdf
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT11\IMAGEOUT11\854\640\85464019\xml4\ROA0010.JPG
SPECIMEN DESCRIPTION	Use of the mark for the identified online services.
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Matthew D. Schneller/
SIGNATORY'S NAME	Matthew D. Schneller
SIGNATORY'S POSITION	Attorney at Bracewell & Giuliani LLP, Washington state bar member
SIGNATORY'S PHONE NUMBER	206-204-6200
DATE SIGNED	03/19/2012
RESPONSE SIGNATURE	/Matthew D. Schneller/
SIGNATORY'S NAME	Matthew D. Schneller
SIGNATORY'S POSITION	Attorney of Record, Washington state bar member

SIGNATORY'S PHONE NUMBER	206-204-6200
DATE SIGNED	03/19/2012
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Mon Mar 19 19:50:38 EDT 2012
TEAS STAMP	USPTO/ROA-74.94.75.206-20 120319195038570106-854640 19-49057c1add612dfb8ce1a2 334c5b986e620-N/A-N/A-201 20319192344061076

Response to Office Action To the Commissioner for Trademarks:

Application serial no. **85464019** has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

Applicant has revised the descriptions of services where requested. For convenience, changes are shown in redline below.

Class 9: no changes

Class 35: Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet;

providing **an on-line commercial information directory information services on the internet**; providing **on-line directory information services also featuring** online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others **in the field of real estate**; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing **consumer** information in the field of home improvement comparisons; allowing users of an online **consumer information** service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; **commercial information services, namely**, providing demographic data; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, **namely, planning and implementing moves of homes of others**; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; **business and consumer research services in the field of real estate**; **providing a website where users can post ratings, reviews and recommendations in the field of home furnishings** {note: transferred from Class 42}

Class 36: Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, **namely, providing an online calculator that provides an estimate of users' credit score based on answers provided**; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental **financial** valuation services; financial valuation of apartments and residential rentals; providing information **in the field of real estate about** and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate **management, real estate leasing, real estate appraisals, real estate listing, real estate agents**, apartment **rentals**, residential rentals, financial services, mortgage **lending** services, home equity **loan** services, insurance services, **real estate** escrow services, **real estate** appraisal services, real estate title **insurance underwriting** services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; **financial research services in the field of real estate** {bold text moved from Class 42}

Class 37: Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, **general** building contractor **services**, carpentry services,

home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums; { note: additional bold services moved from Class 42 }

Class 39: Electronic storage of consumer data; **providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules; {moved from Class 35 }**

Note: An alternative specimen is provided.

Class 42: ~~Real estate research services;~~ providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another;~~ providing a website where users can post ratings, reviews and recommendations in the field of home inspection services **for the purposes of home repair and home restoration, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings**

Note: Alternative specimens are provided.

Applicant submits that it has addressed all concerns raised in the Office Action, and that the application is now

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the

identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/28/2009 and first used in commerce at least as early as 04/28/2009, and is now in use in such commerce.

Proposed: Class 009 for Computer software, namely, consumer data storage software in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer database software featuring information in the field of real estate, apartment and residential rentals, consumer goods and consumer services; mobile device software, namely, software for advertising, accessing and presenting information in the area of real estate, apartment and residential rentals, consumer goods and consumer services; computer software, namely, application programming interface (API) for accessing and presenting information in the field of real estate, consumer goods and consumer services; computer software for sharing data about real estate, apartments, and residential rentals on social networking sites; computer software for providing mortgage information, analysis, and advice in the fields of mortgage lending and home equity lending; computer software for providing mortgage quotes, for confirming lender availability and interest, and for reviewing and rating lenders and mortgage professionals; computer software, namely, widgets in the fields of real estate, apartment and residential rentals, and mortgages; computer software, namely, software plug-ins for use in social media sites in the fields of real estate, apartment and residential rentals, and mortgages

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/28/2009 and first used in commerce at least as early as 04/28/2009, and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 035 for Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing on-line directory information services; providing online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing information in the field of home improvement comparisons; allowing users of an online service to compare and rate homes and home improvements; promoting the goods and services

of others by means of linking the web site to other web sites featuring apartment and residential rental listings; providing demographic data; providing commuting and transit information; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Proposed:

Tracked Text Description: Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; ~~providing on-line directory information services;~~ providing an on-line commercial information on the internet; ~~providing online hyperlinks to other web sites;~~ providing on-line directory information services also featuring online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; ~~business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others;~~ business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; ~~providing information in the field of home improvement comparisons;~~ providing consumer information in the field of home improvement comparisons; ~~allowing users of an online service to compare and rate homes and home improvements;~~ allowing users of an online consumer information service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; ~~providing demographic data;~~ commercial information services, namely, providing demographic data; ~~providing commuting and transit information;~~ providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and

relocation services, namely, planning and implementing moves of homes of others; ~~providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services;~~ design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in the field of home furnishings

Class 035 for Promoting the goods and services of others by means of linking the web site to other web sites featuring real estate, consumer goods and consumer services; advertising and marketing services in the fields of real estate, apartments, residential rentals, retail services, financial services, mortgage services, home equity services, insurance services, escrow services, real estate appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving and relocation services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, painting services, plumbing services, interior design services, staging services, and home furnishings; real estate sales management; real estate marketing services, namely, on-line services featuring tours of real estate; providing an on-line showroom for the goods of others in the field of real estate, apartments, and residential rentals; operating marketplaces for sellers of goods and services in the field of real estate, apartments, and residential rentals; providing an on-line commercial information directory on the Internet; providing an on-line commercial information on the internet; providing on-line directory information services also featuring online hyperlinks to other web sites; making referrals in the fields of retail services, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, legal services, title services, notary services, real estate agency services, property management services, moving services, home inspection services, architectural services, landscaping services, interior design services, building contractors, home building and repair services, home improvement services, carpentry services, engineering services, painting services, plumbing services, interior design services, staging services, and home furnishings; business services, namely, organizing third-party vendors, suppliers, and contractors, and documentation and information on behalf of others in the field of real estate; matching borrowers with potential lenders in the field of mortgage lending; matching consumers with real estate professionals in the field of real estate services via computer network; providing statistical information and indexes of mortgages, interests, and prices for others; providing consumer information in the field of home improvement comparisons; allowing users of an online consumer information service to compare and rate homes and home improvements; promoting the goods and services of others by means of linking the web site to other web sites featuring apartment and residential rental listings; commercial information services, namely, providing demographic data; providing information about neighborhoods and neighborhood amenities; providing on-line information about and providing a website where users can post ratings, reviews, and recommendations in the fields of retail services, moving and relocation services, namely, planning and implementing moves of homes of others; design of advertising materials for others; design of internet advertising; on-line advertising and marketing services; business and consumer research services in the field of real estate; providing a website where users can post ratings, reviews and recommendations in the field of home furnishings

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 036 for Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan

planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental valuation services; financial valuation of apartments and residential rentals; providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Proposed:

Tracked Text Description: Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; ~~credit score estimate services;~~ credit score estimate services, namely, providing an online calculator that provides an estimate of users? credit score based on answers provided; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; ~~apartment and residential rental valuation services;~~ apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; ~~providing information about and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate, apartments, residential rentals, financial services, mortgage services, home equity services, insurance services, escrow services, appraisal services, real estate title services, real estate agency services, and real property management services;~~ providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

Class 036 for Real estate valuation services, financial valuation of real estate; providing information in the field of real estate; financial services, namely, mortgage and home equity loan planning; providing

mortgage and home equity loan quotations to others and providing anonymous mortgage and home equity loan quotations to others; providing information, analysis, and advice in the fields of mortgage lending and home equity lending; credit score estimate services, namely, providing an online calculator that provides an estimate of users' credit score based on answers provided; providing an on-line computer database in the field of credit rating; providing on-line an interactive consumer credit score simulator which permits an individual to simulate his or her credit score by selecting data variables to show the effect of the different variables upon the individual's credit score; operating marketplaces for sellers of goods and services in the fields of apartments and residential rentals; apartment and residential rental financial valuation services; financial valuation of apartments and residential rentals; providing information in the field of real estate and providing a web site where users can post ratings, reviews, and recommendations in the fields of real estate management, real estate leasing, real estate appraisals, real estate listing, real estate agents, apartment rentals, residential rentals, financial services, mortgage lending services, home equity loan services, insurance services, real estate escrow services, real estate appraisal services, real estate title insurance underwriting services, real estate agency services, and real property management services; classified real estate listings of apartment rentals and housing rentals; Providing real estate listings and real estate information via the Internet; real estate listing services for housing rentals and apartment rentals; financial research services in the field of real estate

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 037 for Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, building contractors, carpentry services, painting, and plumbing services;~~ Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

Class 037 for Providing a website where users can post ratings, reviews and recommendations in the field of home improvement construction, general building contractor services, carpentry services, home building, home repair, painting, plumbing services, and home improvement services, namely, renovation, construction, and repair of houses, apartments, and condominiums

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in

such commerce.

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 039 for Electronic storage of consumer data

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Proposed:

Tracked Text Description: Electronic storage of consumer data; [providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules](#)

Class 039 for Electronic storage of consumer data; providing information and estimates in the field of commuting times, commuting routes, and mass transit schedules

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 04/13/2011 and first used in commerce at least as early as 04/13/2011, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 039. The specimen(s) submitted consists of Use of the mark for the identified online services..

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"*[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"***[for an application based on Section 1(b) Intent-to-Use]*.

Original PDF file:

[SPU4-749475206-192344061 . Zillow Class 39 alternative specimen.pdf](#)

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[Specimen File1](#)

Original PDF file:

[SPU4-749475206-192344061 . Zillow Class 39 alternative specimen 2.pdf](#)

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[Specimen File1](#)

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[Specimen File3](#)

[Specimen File4](#)

[Specimen File5](#)

[Specimen File6](#)

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 042 for Real estate research services; providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals,

mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Real estate research services~~; Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings; ~~URL redirection services, namely, rerouting computer connections from one uniform resource locators or network address to another; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services, home building and repair services, home improvement services, engineering services, interior design services and interior decorating services, staging services, and home furnishings~~

Class 042 for Providing temporary access to online non-downloadable software that allows others to design and create websites; hosting websites and digital content for others on the Internet; web site design; web site development for others; providing temporary use of non-downloadable computer software in the fields of real estate, apartments, residential rentals, mortgages, and consumer goods and consumer services; non-downloadable computer database software featuring information and advertising in the fields of real estate, apartments and residential rentals, mortgages, consumer goods, and consumer services; computer services, namely, search engine optimization; providing a website where users can post ratings, reviews and recommendations in the field of home inspection services for the purposes of home repair and home restoration, engineering services, interior design services and interior decorating services, apartment, condominium and home staging services for the purpose of increasing the appeal of the property to prospective buyers and/or renters, and home furnishings

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 02/07/2006 and first used in commerce at least as early as 02/07/2006, and is now in use in such commerce.

Applicant hereby submits a new specimen for Class 042. The specimen(s) submitted consists of Use of the mark for the identified online services..

"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application"*[for an application based on Section 1(a), Use in Commerce]* OR **"The substitute (or new, if appropriate) specimen(s) was/were in use in commerce prior either to the filing of the Amendment to Allege Use or expiration of the filing deadline for filing a Statement of Use"***[for an application based on Section 1(b) Intent-to-Use].*

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[SPU5-749475206-192344061 . Zillow 42 alternative specimen 2.pdf](#)

Converted PDF file(s) (1 page)

[Specimen File1](#)

SIGNATURE(S)

Declaration Signature

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Matthew D. Schneller/ Date: 03/19/2012

Signatory's Name: Matthew D. Schneller

Signatory's Position: Attorney at Bracewell & Giuliani LLP, Washington state bar member

Signatory's Phone Number: 206-204-6200

Response Signature

Signature: /Matthew D. Schneller/ Date: 03/19/2012

Signatory's Name: Matthew D. Schneller

Signatory's Position: Attorney of Record, Washington state bar member

Signatory's Phone Number: 206-204-6200

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85464019

Internet Transmission Date: Mon Mar 19 19:50:38 EDT 2012

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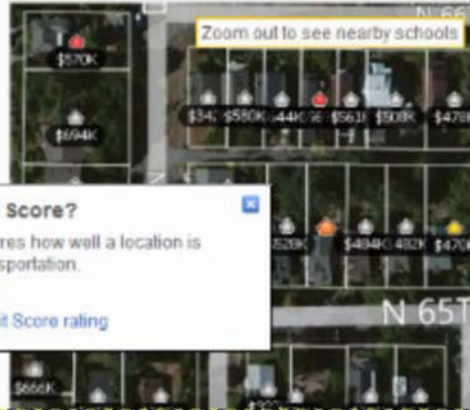
Transit Score™

What is a Transit Score?

Transit Score measures how well a location is served by public transportation.

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Your Home's Transit Score Now Available on Zillow

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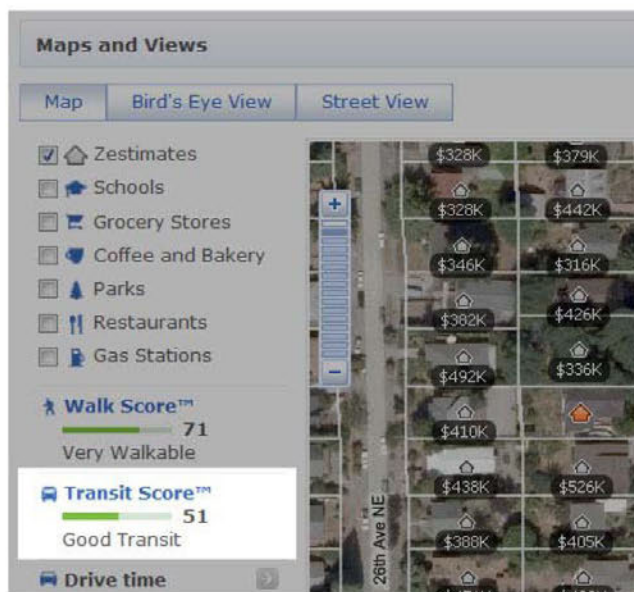
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Furthering our commitment to open up information for consumers, Zillow has expanded its partnership with [Walk Score](#) to now include [Transit Score](#). While Walk Score measures the “walkability” of any address, Transit Score measures how well a location is served by public transportation.

People looking at home details pages on Zillow in more than 100 cities can scroll down to the “Maps and Views” section to see the home’s Walk Score and Transit Score. It’s great information for homeowners, as well as potential buyers or renters.



Transit Score provides a 0 -100 rating for more than 100 cities where public transit data is available. Ratings range from “Rider’s Paradise” that offer world-class bus and rail service, to areas with limited or no nearby public transportation.

Transit Score	Description
90–100	Rider's Paradise — World-class public transportation.
70–89	Excellent Transit — Transit is convenient for most trips.
50–69	Good Transit — Many nearby public transportation options.
25–49	Some Transit — A few nearby public transportation options.
0–24	Minimal Transit — It is possible to get on a bus.

How do they do it? A Transit Score is calculated by assigning a “usefulness” value to nearby transit routes based on the frequency, type of route (rail, bus, etc.), and distance to the nearest stop on the route. The “usefulness” of all nearby routes is summed and then it is normalized to a score between 0 – 100.

Zillow's partnership with Walk Score and Transit Score is yet another example of our approach to providing the best data, tools and resources to people at all stages of home ownership. Now [check out your home's](#) transit score to see where you rank!

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1.

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It would be even better if they knew that there were two bus lines within four doors of my house!

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Glad you're here. We cover everything from real estate news and advice to how to navigate the complex world of [mortgages](#). Not to be forgotten is our popular celebrity real estate coverage. Got a celebrity tip? Please email us at celebrity@zillow.com.

Interested in Zillow content for your site? Email us at bizdev@zillow.com.

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http://www.zillow.com/howto/api/APIOverview.htm

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Neighborhood Data

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Property Details API


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Real Estate and Mortgage Data for Your Site

Turn Your Site Into a Real Estate Portal With Zillow

The new Zillow API Network turns member sites into mini real estate portals by offering fresh and provocative real estate content to keep people coming back.

Home Valuation

Search results list, Zestimate®, Rent Zestimate®, home valuations, home valuation charts, comparable houses, and market trend charts.

API calls of interest:

1. [GetZestimate](#)
2. [GetSearchResults](#)
3. [GetChart](#)
4. [GetComps](#)


Property Details

Property-level data, including historical sales price and year, taxes, beds/baths, etc.

API calls of interest:

1. [GetDeepComps](#)
2. [GetDeepSearchResults](#)
3. [GetUpdatedPropertyDetails](#)

Neighborhood Data



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Roomspinners
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Seattle Oasis Vacation Rentals
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Areas: Seattle



Andy Capelluto PRO




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Keith Brandt 206.459.9761
\$1,280,000
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Compare Mortgage Rates

30yr fixed: 4% 15yr fixed: 3.21%



January 01 February 01 March 01

Compare Seattle, WA mortgage rates

Seattle Selling Process Advice

- I have my house listed for sale on Zillow. I can't figure out how to post an open house. - 3 Answers
- Please help me stage my living room. We have this cool new feature where you can tag a part of the the picture and add comments to it. I'll ... - 45 Answers
- How does Zillow's "For Sale" compare to an MLS listing? - 5 Answers

EXHIBIT B

Zillow.com - Your Edge in Real Estate

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Home

Zillow.com: An Upcoming Online Real Estate Service

At Zillow.com we are working hard to develop a new kind of online real estate service -- one that will give you an edge in the home buying and selling process.

While we aren't revealing specific details about our service just yet, we know we will need your assistance in getting it right. Once we launch, we will be asking you, the community, to tell us what you want next in the way of services so we can improve our site as we go along. **If you would like to be notified, [sign up](#) for news about our beta launch.**

At Zillow.com we are also [hiring](#) highly capable people who want to work with a talented team and who are driven by the challenge of creating something new that will change how people approach real estate in a positive way.

Job of the Week:

[Build and Deployment Engineer](#)

Zillow.com is seeking an exceptional software development engineer to design, develop, and deploy our build process and related test automation suites. ([more](#))

Zillow.com - Your Edge in x

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[Zillow Aims for Realty Riches](#)

October 26, 2005

Two top VC firms are betting the team that made Expedia an online travel giant will have another big hit on their hands, this time with Zillow.com in the crowded field of online real estate services. ... The company has been on a hiring tear, adding 40 employees over the past year and outgrowing its original headquarters. ([more](#))

[Brokerage Design: It's Time for Zillow Talk](#)

October 2005

... a new entity called Zillow.com ... further suggests that Zillow.com's impact on the traditional industry will far outweigh LendingTree or any other influence to date ... the organization will have a business model tuned to take advantage of a major gap in the current real estate service spectrum, and the resources to potentially make a significant impact on the American real estate market. ([more](#))

[Speed Dating for Job Seekers](#)

October 3, 2005

Three fast-growing Seattle-area startup companies -- Judy's Book, Mpire and Zillow -- recently hosted a recruiting party ... Annie Rihn, director of recruiting at Zillow, said that the event was a huge success with about 60 developers, software engineers and other technical workers showing up. ([more](#))

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EXHIBIT C

Press Releases

Zillow.com® Launches Free Zillow® Mortgage Marketplace

Borrowers can shop for loans anonymously, get real customized rates, and review lenders through the industry's first lender rating system; confirmed lenders can submit unlimited number of quotes for free

SEATTLE, April 3, 2008 /PRNewswire/ -- Real estate Web site Zillow.com today announced the launch of Zillow Mortgage Marketplace, an open and transparent lending marketplace, offering borrowers an anonymous and hassle-free way to request custom loan quotes directly from registered lenders. In turn, lenders can respond to an unlimited number of loan quote requests directly from borrowers -- for free. Zillow Mortgage Marketplace extends Zillow into another crucial facet of home ownership, and includes the industry's first-ever lender public feedback system where borrowers rate the lenders they choose to contact.

(Logo: <http://www.newscom.com/cgi-bin/prnh/20060503/ZILLOWLOGO>)

Similar to the company's initial real estate launch with Zestimate® values two years ago, Zillow developed Mortgage Marketplace to add information and transparency to what has traditionally been a confusing process for borrowers. Zillow Mortgage Marketplace gives borrowers greater control and more information to help them find, research and select the right lender and loan.

"It's clear from our customer research and from reading today's headlines that borrowers need a better way to research and shop for home loans," said Rich Barton, CEO and co-founder of Zillow.com. "Loan shoppers tell us they want real quotes -- not just teaser rates -- when doing their research online, and they want to control who and when they contact by shopping anonymously until they are ready to talk. There is an obvious need for a transparent, free marketplace, and with this in mind, we are pleased to enter a new business today with the launch of Zillow Mortgage Marketplace."

To access Zillow Mortgage Marketplace, simply click on the new "Mortgages" tab on Zillow.com. Potential borrowers can then request customized loan quotes by filling out a detailed loan request form. Borrowers do not provide any personally identifiable information to the lender -- no name, address, phone number or Social Security number. While identity is omitted, lenders are provided enough detail to generate quotes with real rates, customized to the borrower's circumstances. Once the borrower submits a request, any lender visiting Zillow can browse among outstanding requests and view competing quotes offered by other lenders. However, only lenders who have registered on Zillow and been confirmed as mortgage professionals may participate in Mortgage Marketplace and

submit quotes.

Zillow does not limit the number of quotes a borrower can receive and offers a standardized quote form to make comparing these quotes -- along with each lender's ratings and feedback -- easy. The Mortgage Marketplace quote form requires lenders to disclose all fees upfront then Zillow estimates taxes and insurance and provides an inclusive estimated monthly payment. This makes it easier for borrowers to compare loan quotes on an apples-to-apples basis, note differences and better evaluate overall affordability. The borrower decides which lender(s) they want to contact, if any, maintaining complete control of the process. Only when a borrower contacts a lender will their identity be revealed.

Unlike other lending Web sites, Zillow is not a loan originator and is never part of any transaction. Any loan originated will be closed outside Zillow Mortgage Marketplace. Zillow also does not sell a borrower's personally identifiable information, which often leads to a barrage of unwanted phone calls and e-mails from multiple lenders vying for the borrower's business. This is a primary worry of borrowers. More than 80 percent of people who plan to shop for a mortgage or home loan in the future say they have concerns about doing so. In fact, more borrowers say they are concerned about having their personal information sold or shared (58%) than they are about missing the opportunity to get the best rate (55%), according to a recent survey(i) conducted by Harris Interactive on behalf of Zillow, which the company reported separately today.

To participate in Zillow Mortgage Marketplace, lenders must complete a series of steps and requirements that will ultimately provide free and unlimited leads from borrowers shopping for loans, including:

- Apply and have their professional and employment status confirmed. Zillow is utilizing the help of a leading independent third party to support a confirmation process that may include identity authentication, employment verification, broker license confirmation and checking standard sources for complaints or comments. To cover the cost of this confirmation process, lenders pay a one-time registration fee of \$25.
- Create a public profile and accept borrower feedback. Once lenders are confirmed, they automatically receive a public profile on Zillow, which lists their contact information and a link to their email address. Lenders are able to add a photo and other information about their credentials or service philosophy. Lender profiles will also display ratings submitted from borrowers who have contacted them. Through these personalized profiles, lenders are able to build a reputation on Zillow based on responsible lending practices, competitive and accurate rates, and great service.
- Agree to adhere to the Zillow Mortgage Marketplace Code of Conduct. This places mutual responsibility on the borrower and lender to be accurate, professional and law-abiding in all interactions. The Code

of Conduct also prohibits 'bait and switch' tactics by lenders, and Zillow reserves the right to ban any lender from the marketplace for which the public feedback system will be an important barometer.

Zillow is one of the most-visited U.S. real estate sites on the Web, with more than 5 million unique users each month. These users include more than one-third(ii) of all mortgage professionals in the U.S. -- or approximately 125,000 -- in any given month. Additionally, 90 percent of Zillow users are homeowners, and two-thirds are either buying and selling now, or plan to in the near future.

In addition to getting loan quotes through Mortgage Marketplace, Zillow users can ask questions and find or share answers about numerous home financing topics via Zillow Discussions. More than 11,000 posts on mortgage-related topics have been contributed by the Zillow community to date.

About Zillow.com®

Zillow.com is an online real estate community where homeowners, buyers, sellers, real estate agents and mortgage professionals find and share vital information about homes, for free. Launched in early 2006 with Zestimate values and data on millions of U.S. homes, Zillow has since opened the site to community input, data and dialogue. One of the most-visited U.S. real estate Web sites, Zillow's goal is to help people become smarter about real estate in every stage of the home ownership process -- buying, selling, remodeling and financing. The company is headquartered in Seattle and has raised \$87 million in funding.

Zillow.com, Zillow and Zestimate are registered trademarks of Zillow, Inc.

- (i) The Home Spending survey was conducted online by Harris Interactive within the United States on behalf of Zillow.com between March 6 and March 10, 2008, among 2,897 adults ages 18+, of whom 1,821 are homeowners. This online survey is not based on a probability sample and therefore no estimates of theoretical sampling error can be calculated; a full methodology is available.
- (ii) According to employment data published by the Bureau of Labor Statistics, the number of mortgage bankers and brokers declined to 365,000 as of January 2008.

Photo: NewsCom: <http://www.newscom.com/cgi-bin/prnh/20060503/ZILLOWLOGO>

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SOURCE: Zillow.com

CONTACT: Sarah Mann of Zillow.com, +1-206-470-7171,
press@zillow.com

Web site: <http://www.zillow.com/>

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Bloomberg Businessweek

Lifestyle

Zillow Opens Online Mortgage Marketplace

By [Prashant Gopal](#) on April 03, 2008

<http://www.businessweek.com/stories/2008-04-03/zillow-opens-online-mortgage-marketplacebusinessweek-business-news-stock-market-and-financial-advice>

The property estimate site is enhancing its business model to offer users mortgage loan quotes from multiple lenders

Seattle-based Zillow.com, best known for its instant home value "Zestimates," launched a new service on Apr. 3 aimed at changing the way Americans shop for mortgages.

Borrowers can use Zillow's new "Mortgage Marketplace" to get custom loan quotes from lenders without having to give their names, addresses, phone numbers, or Social Security numbers, or field unwanted telephone calls from brokers competing for their business. Borrowers reveal their identities only after contacting the lender of their choice.

For mortgage companies, the anonymous leads come free of charge; they can make a bid based on information provided by the borrower, such as salary, assets, credit score, and the type of loan. Lenders can browse borrower requests and see competing quotes from other brokers before making a bid.

"This is a huge step forward in terms of putting borrowers in control and giving them access to information," said Spencer Rascoff, Zillow's chief financial officer and vice-president for marketing.

Fees Rolling In

The company is entering a field of established mortgage sites such as LendingTree.com and Experian Group's (EXPN) Lowermybills.com, which charge mortgage companies for borrower information. Zillow, which has an advertising model, says it won't charge for leads.

A few hundred lenders across the country have already signed up to participate in the new service and have paid a one-time \$25 fee, which covers the cost of a background check, including employment and broker license verification.

Borrowers will have more than fees and loan rates to consider; the site gives a 1-to-5 rating to each lender based on borrower feedback. Zillow's standardized quote form allows customers to compare rates, fees, and lenders' ratings. Zillow calculates a monthly payment for each quote by estimating taxes and insurance for the house.

Brian Brady, managing director at San Diego's World Wide Credit, a national lender and broker, said he signed up for the Zillow mortgage marketplace a few weeks ago and has mixed feelings about it.

Advice Needed?

He said it has the potential to be a great tool for both consumers and lenders. But he's concerned that borrowers will be seeking quotes without first getting advice from mortgage professionals about the loan that best fits their needs.

He's also concerned about the kinds of leads the site might generate.

"Zillow is going in the right direction, in that the consumer gets to rate us as [loan] originators," Brady said. "I certainly wish it were a mutual rating system because customers need to be rated, too."

Bill Rice, founder and CEO of Kaleidico, a Flat Rock (Mich.) and Cleveland lead-management and distribution software company, said the Zillow service will be appealing for borrowers who want to shop for low rates without getting bombarded by lender phone calls.

But for the lender, the quality of the lead from Zillow will not be as good as it would be from other sites such as IAC/InterActive's (IACI) LendingTree.com in Charlotte, N.C. These are more likely to attract serious customers, he said.

Just Looking

Lenders typically pay sites between \$15 and \$65 per lead, Rice said. Zillow's leads are free, but might not be as solid and could take time to nurture, he said.

"There is a significant difference between someone who has committed to you personal information vs. someone anonymous," Rice said. "It doesn't mean that this is a bad path for Zillow. I think it's a positive move for Zillow but there are going to have to be some nuances worked through before we see broader adopters."

Zillow's Rascoff conceded that some of the borrowers seeking quotes on the mortgage marketplace might be "early in the decision process." But he said a borrower who decides to call a lender is more valuable than one who simply answers the phone.

Zillow's traffic has been growing despite the weakening real estate market. The site received 5.2 million visitors in

March, up 30% from a year earlier. The Mortgage Marketplace could have a head start in attracting lenders because about a third of all U.S. mortgage professionals visit the site in a given month, he said.

Todd Carpenter, owner of Lenderama, a mortgage industry blog, said he hopes Zillow's mortgage service will be successful.

"It's structured in a way that's to the advantage of the customer," he said. "There's no way for the lender to harass you. All they can do is return a good-faith mortgage quote with details."

[Gopal](#) writes about real estate for BusinessWeek.com in New York .

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Zillow launches mortgage marketplace site

Posted 4/3/2008 8:08 AM | Comments 4 | Recommend

By J.W. Elphinstone, Associated Press

NEW YORK — Armed with market research that showed Americans spend as much time researching a vacation as they do a mortgage loan (answer: five hours), Zillow.com is launching a mortgage marketplace that allows consumers to anonymously receive custom loan quotes and rate their lenders.

Zillow.com, which created a buzz in the real estate industry two years ago with its online home value "zestimates", hopes to add transparency and information to the mortgage application process, while making it easier and faster to get mortgage quotes.

ZILLOW HELP Mortgage marketplace

On its website, potential borrowers can fill out a detailed loan request form, which doesn't ask for any identifiable information. Registered lenders can respond with quotes and rates, which are displayed on Zillow's standardized quote form aimed at making comparisons easier. The borrower then has the option to contact lenders about their quotes.

Zillow said it verifies every lender's identity, employment and broker license. Each lender will have a public profile on the site with contact information, an e-mail link and ratings submitted by borrowers who contacted them.

Zillow.com receives about 2 million unique U.S. visitors each month and was the 10th most visited U.S. real estate website in February, according to website tracker comScore Inc.

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louiscammarosano (0 friends, [send message](#)) wrote: 4/3/2008 5:49:25 PM

HomeGain Cries Flattery on Zillow
<http://blog.homegain.com/homegain-cries-flattery-zillow>

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kojakinfla (2 friends, [send message](#)) wrote: 4/3/2008 3:40:47 PM

Zillo is way off accurate house values. Its data is old and inaccurate and in most cases their estimate of the actual value of the property is way off. Any owner that believes the Zillo estimates is in for a real surprise when they try to actually sell or refinance their property.

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landtuna (0 friends, [send message](#)) wrote: 4/3/2008 12:15 00 PM

I'd personally be very careful using Zillow for any research purposes. As of a few months ago (the last time I looked at their site) their estimates of houses in my neighborhood were way, way off (on the high side). Based upon other neighborhoods of which I have personal knowledge they didn't make a lot of sense either. Unless some significant changes have been made in their estimating

algorithms they are likely to remain very unrealistic.

Better to get several market values from local real estate people.

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Raven49 (0 friends, [send message](#)) wrote: 4/3/2008 9:29 29 AM

After a friend mentioned Zillow yesterday, I looked at the website briefly to research a relatives home to see if it might be worthwhile refinancing. Based on a couple of transactions I am aware of, there estimated value for our area seems very accurate. The home we were researching is in another state so I can't say for sure.
If the official appraisal varifies their information we would certainly use Zillow for finding financing.

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Zillow launches 'Mortgage Marketplace'

New service from the real estate site links borrowers with lenders but protects anonymity and opens quotes for all to see.

by Elinor Mills | April 2, 2008 9:00 PM PDT

Real estate site Zillow [<http://www.zillow.com/>] is set to launch on Thursday a service that will let borrowers get quotes anonymously and lenders get leads for free.

People applying for home loans online now have to supply personal information to get quotes. Their information is often sold to other marketers, their credit rating can get harmed from so many credit checks, and the rates are usually higher than initially advertised.

Zillow's Mortgage Marketplace aims to solve those problems. Borrowers fill out detailed loan request forms but do not provide any personally identifiable information. When customized quotes are available, the borrowers get e-mail alerts and can choose which quote and lender they want.

Zillow vets the lenders so only reputable ones can offer quotes and any lender can view competing quotes, but only lenders that have registered on Zillow can submit quotes. The quotes must use a standardized form that discloses all fees and Zillow estimates the taxes, insurance, and monthly payments, making comparison shopping easier.

There also is a rating system for borrowers to provide feedback on specific lenders. Zillow's marketplace lets the borrowers and lenders find each other, but does not participate beyond that in the transaction.

I asked Spencer Rascoff, chief financial officer and vice president of marketing for Zillow, how the ad-supported site plans to weather an online ad slowdown that already seems to be **curbing spending by online lenders** [http://www.cnet.com/Lending-companies-reduce-online-advertising/2100-1024_3-6232226.html].

He responded that big banks are increasing their spending during the downturn because they see it as an opportunity to gain share as the small guys go under.

In addition, a mortgage marketplace will do well not despite, but because of the suffering home sales market, according to Rascoff.

There will be fewer new purchases but it's a good time for new refinancing tools, he says, because rates are low and adjustable-rate mortgages will be reset and need to be

refinanced.

The screenshot shows the Zillow.com homepage with the user logged in as 'tracyborrower'. The navigation bar includes 'Map & Search', 'Mortgages', 'Real Estate Guides', 'Discussions', 'My Zillow', and 'Post a home for sale'. The left sidebar has links for 'Loan Request', 'Quotes Received', 'Help Center', and 'Tools' (with a 'Print page' option). The main content area is titled 'Quotes Received' and shows a list of 7 matching quotes. The quotes are sorted by 'Date created' and are as follows:

Loan Details	Lender	Received
30-yr Fixed 6.75%/7.0% APR \$1,895 Monthly Payment \$3,600 lender Fees	Nate Lender Nate Lender Mortgage's of Seattle	Received 4 hours ago
30-yr Fixed 6.5/6.75% APR \$1,790 Monthly Payment \$3,400 lender Fees	Sarah Smith Capital Mortgages	Received 1 day ago
30-yr Fixed 6.75%/7.0% APR \$1,890 Monthly Payment \$3,100 lender Fees	Mitch Sanders Mortgage Institute of Seattle	Received 2 days ago
30-yr Fixed 7.0/7.25% APR \$2,050 Monthly Payment \$2,900 lender Fees	Mark Robinson Evergreen Mortgage, Inc.	Received 3 days ago

Zillow Mortgage Marketplace lets borrowers compare quotes from different lenders side by side.

(Credit: Zillow)

<http://www.cnet.com/profile/elinormills/>



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[to-your-door/](http://news.cnet.com/8301-1023_3-57546927-93/amazon-uncorks-wine-service-delivers-to-your-door/)]

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Digital Trends

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